

PATENT
Docket No. 112171-001.CP1
(TARINFO.015CP1)

REMARKS

In response to the Office Action dated June 2, 2005, Applicant submits the following remarks. Claims 1, 3-6, 8-10 and 21 and 22 are pending in the application.

REJECTIONS UNDER § 103

In the Office Action, all of the pending claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Moore* (U.S. Patent No. 5,506,897) in view of *Kanevsky* (U.S. Patent No. 5,897,616). Applicant respectfully traverses this ground of rejection. *Moore* and *Kanevsky* cannot properly be combined.

There is no motivation to combine *Moore* with *Kanevsky*. *Moore* describes a "system and method for automatically and seamlessly routing telephone calls across a telephone network." (*Moore*, Abstract). *Moore* describes a system in which a telephone number from an incoming call is used to access a telephone number to spatial key database having a spatial key associated with each telephone number. The obtained spatial key is then used to access a spatial key to telephone number table. The call is then routed to that telephone number. *Moore* has no description, suggestion or mention of voice or speech recognition. *Moore* cannot provide any suggestion to combine its teachings with a reference directed to speaker verification or identification has been cited such as *Kanevsky*. *Kanevsky* also provides no motivation to transform a telephone call routing system into a voice recognition system.

Modifying *Moore* in view of *Kanevsky* as described in the Office Action would completely destroy the intended purpose of *Moore*. (See, MPEP2143.01) The intended purpose of *Moore* is very clearly routing telephone calls based upon the location of the calling telephone.

PATENT
Docket No. 112171-001.CP1
(TARINFO.015CP1)

Kanevsky describes a method and apparatus “for securing access to a service or facility employing automatic speech recognition.” Modifying the system of *Moore* in view of *Kanevsky* to analyze a vocal expression destroys its intended purpose, i.e., telephone call routing.

In addition, the proposed combination of *Moore* and *Kanevsky* changes a principle of operation of *Moore*. A principle of operation of *Moore* is routing a telephone call to the nearest service location based upon the telephone number of the calling party. Modifying *Moore* so that it becomes a voice recognition system fundamentally changes that principle of how *Moore* operates.

The destroying of the function of *Moore* and the changes to its principle of operation can be further seen by analyzing the details of the combination proposed in the Office Action. The portion of *Moore* identified in the Office Action as allegedly corresponding to “determining a linkage key” describes the conversion of a calling telephone number into a spatial key which is then used to access a database to obtain a telephone number. Similarly, the portion of *Moore* identified as corresponding to “selecting a subset of records” identifies a subset of telephone numbers. The Office Action then goes on to state that *Kanevsky* demonstrates that “obtaining a grammar of potential matching words based upon a subset of records” was well known in the art. The Office Action then concludes that “it would have been obvious . . . to modify *Moore* by specifically providing the features as taught by *Kanevsky*.” However, the proposed combination leaves us with a call routing system that does not route a call but instead nonsensically uses a subset of telephone numbers as a grammar. The Office Action provides no explanation of how the subset of telephone numbers taught by *Moore* can be used in any way to obtain “a grammar

PATENT
Docket No. 112171-001.CP1
(TARINFO.015CP1)

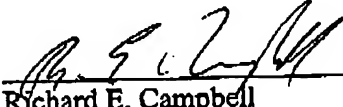
of potential matching words" as purportedly shown by *Kanevsky*. It is only through the use of improper hindsight that anyone would ever consider combining the disparate elements of *Moore* in the field of telephone routing with those of *Kanevsky*.

The undersigned thanks the Examiner for the courtesy extended during the telephonic interview conducted on September 1, 2005. During that interview the foregoing arguments were disclosed. The Examiner provided a preliminary indication that the claims are allowable in view of the foregoing arguments.

The foregoing arguments apply with equal force to each of the rejected claims. Therefore, Applicant respectfully requests that all of the outstanding rejections be withdrawn and the application be passed to allowance.

Respectfully submitted,

Dated: September 6, 2005


Richard E. Campbell
Reg. No. 34,790

PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
530 B Street, Suite 2100
San Diego, California 92101-4469
(619) 238-1900 (Phone)
(619) 235-0398 (Fax)